

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>8:05CR106</b>
	)	
<b>vs.</b>	)	<b>ORDER</b>
	)	
<b>JOSE LUIS SILVA-RODRIGUEZ,</b>	)	
	)	
<b>Defendant.</b>	)	

This matter is before the court on the motion for an extension of time by defendant Jose Luis Silva-Rodriguez (Silva-Rodriguez) (Filing No. 51). Silva-Rodriguez seeks an extension of time until May 6, 2005, in which to file pretrial motions pursuant to paragraph 3 of the progression order (Filing No. 43). Upon consideration, the motion will be granted.

**IT IS ORDERED:**

Defendant Silva-Rodriguez's motion for an extension of time (Filing No. 51) is granted. Defendant Silva-Rodriguez is given until **on or before May 6, 2005**, in which to file pretrial motions pursuant to the progression order (Filing No. 43). The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **April 27, 2005 and May 6, 2005**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 27th day of April, 2005.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge